



# Haryana Government Gazette

Published by Authority

© Government of Haryana

No. 22-2017] CHANDIGARH, TUESDAY, MAY 30, 2017 (JYAISTHA 8, 1939 SAKA)

## PART—I

### Notifications, Orders and Declarations by Haryana Government

#### HARYANA GOVERNMENT

#### HEALTH DEPARTMENT

#### Notification

The 22nd May, 2017

**No. 25/10/2017-6HBI.**— The Governor of Haryana is pleased to constitute a Medical Board at each district level with the name “District Medical Boards for Negligence” to decide the complaints against the private/Govt. Doctors/ hospitals for Medical negligence in pursuance of the Hon’ble Supreme Court order dated 05.08.2005 in Jacob Mathew case passed in Appeal (CRL.) 144-145 of 2004 and orders passed by Hon’ble Punjab and Haryana High Court, Chandigarh in CRM-M No. 16382, 16383, 16384 of 2014. The District Medical Boards for Negligence will consist of the following:—

(i)	Civil Surgeon of the District	Chairperson
(ii)	Principal Medical Officer/Medical Superintendent of District Hospital as the case may be	Member Secretary
(iii)	Two subject specialists of the same specialty related to the type of complaint. (Either both from Govt. or one from the Govt. and one from the private. If any subject specialist is not available then the Chairperson can call from other District)	Member
(iv)	One Member of the district IMA (To be decided by the District IMA President)	Member

(Note.— The above committee shall examine such application in the light of orders passed by the Apex Court in Jacob Mathew case and applying Bolam’s test. All members shall be present and sign the report.)

1. The District Medical Boards for Negligence will look into all complaints against the private/Govt. doctors/hospitals for Medical negligence and will be empowered to call & seek the assistance of

anybody or any record associated with the complaint and will have the power to inspect the premises as per need of the case.

2. Investigating officers should, before proceeding against the doctors accused of rash or negligent act or omission, obtain an independent and competent medical opinion from District Medical Boards for Negligence.
3. The District Medical Boards for Negligence shall give an impartial and unbiased opinion applying Bolam's test to the facts collected in the investigation.
4. The District Medical Boards for Negligence will meet as frequently as required and will devise a transparent procedure to receive complaints.

This notification will come into force *w.e.f.* date of this notification in the Official Gazette.

Chandigarh:  
The 22nd May, 2017

AMIT JHA,  
Principal Secretary to Government of Haryana,  
Health Department.